

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
ERIE DIVISION

DEMETRIUS BROWN,)	
Plaintiff,)	
)	
)	
v.)	C.A. No. 04-379 Erie
)	
U.S JUSTICE DEPT. et. al.,)	
Defendants.)	

**PETITION TO EFFECT NEW SERVICE OF
PROCESS/SUMMONS UPON DEFEDANT**

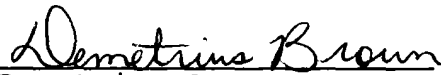
COMES NOW, DEMETRIUS BROWN, herein as Plaintiff, proceeding Pro-Se, hereby petitions this Honorable Court, the United States District Court for the Western District of Pennsylvania, Erie Division to Effect New Service of Process/Summons upon Defendant pursuant to Fed.R.Civ.P. Rule 4(a).

In support, Plaintiff affirms that on the face of the record, he was denied due service of process. That, the U.S. Marshals Service have failed to discharge duty by servicing Defendant- **Dr. Newton E. Kendig, Medical Director** at the proper address prescribed by the summons, that being, **Home Owners Loan Corporation Building, 320 First Street, N.W., Washington, D.C. 20534. See Exhibit A.** That, instead, the U.S. Marshals Service erroneously directed service upon Dr. Newton E. Kendig at the Office of General Counsel & Review

Health Services Division, Federal Law Enforcement Training Center,
Glynco, GA. 31524. See **Exhibit B**.

For this reason, Petitioner requests that the U.S. Marshals
Service be ordered to effect new service of process personally upon
Dr. Newton E. Kendig, at his place of employment which is at Home
Owners Loan Corporation Building, 320 First Street, N.W., Washington,
D.C. 20534.

Respectfully submitted,


Demetrius Brown
Reg. No. 21534-039
FCI RayBrook
P.O. Box 9001
RayBrook, NY. 12977

PROOF OF SERVICE

I, DEMETRIUS BROWN, do swear or declare that on this date, December 13, 2005, as required by Fed.R.Civ.P. Rule 5(a), I have served the enclosed Petition to Effect New Service of Process/ Summons upon Defendant- Dr. Newton E. Kendig, Medical Director, on each party to the above proceeding or that of party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in FCI RayBrook's internal mail system for mail in the United States, mail properly addressed to each of them and with first-class postage prepaid.

The names and addresses of those served are as follows:

Megan E. Farrell
Assistant U.S. Attorney
Western District of PA
700 Grant St. Suite 4000
Pittsburgh, PA. 15219
(412)894-7429
PA ID #76972

Counsel for Defendants

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 13, 2005

Demetrius Brown
Demetrius Brown
Reg. No. 21534-039
FCI RayBrook
P.O. Box 9001
RayBrook, NY. 12977